

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, OCTOBER 23, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, October 23, 2014, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Russell
Councilpersons:	Culver, Olshefski, Kling, Showers
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

President Russell called the meeting to order.

Ms. Sharon Olshefski, MDiv, Director, Baby Care Program/Neighborhood Thrift Store, Second Mile Development, Inc., led the invocation.

Councilman Kling led the pledge of allegiance.

Members of the Huntsville Symphony Orchestra did a flash mob presentation.

Mayor Battle asked members of the Huntsville Symphony Orchestra to come back to the podium and take a bow, noting that this was the 60th anniversary of the Symphony.

Mayor Battle stated that in honor of the 60th anniversary of the Huntsville Symphony, the current week was Symphony Week in the city, and that they had been doing surprise performances

such as this all over the city. He thanked them for their presentation and for their service to the city.

Mayor Battle asked that Ms. Joy McKee come forward, along with the women from the Willowbrook Garden Club.

Ms. McKee and the group came forward.

Mayor Battle asked Ms. McKee if she would comment on these women and what they were doing in the community.

Ms. McKee stated that the Willowbrook Garden Club had been in existence for 50 years. She continued that they had helped Grissom High School and done various other things in the community that she would let them speak about. She stated that there was a founding person of this organization present, Dot Mapes. She recognized Ms. Mapes, stating that she had been in the club for 50 years. She stated that the mission of Mayor Battle and Operation Green Team was for the city to be beautiful and that this took volunteers and that it took these women and their garden club and all they had done for the past 50 years to make this possible.

Mayor Battle stated that he had a proclamation to present to Willowbrook Garden Club, founded in 1964. He stated that the most important portion of the proclamation was that they wanted to say thank you to them for all they had done for the city. He congratulated them for 50 great years and stated that they were looking forward to 50 more years. He presented the proclamation to a member of the group. She stated that she would turn the microphone over to their charter member,

Ms. Dot Mapes.

Ms. Mapes stated that it was great to be at the meeting with Mayor Battle and the Councilmen. She stated that they loved Huntsville and they loved Southeast Huntsville and Grissom High School. She stated that they had started this club in 1964, and they wanted a good project, and that when Grissom High School had been built, they had gotten one. She stated that they had landscaped it, that they wanted the school and the neighborhood to be proud of the school. She stated that that had been their project, and that they hated to see it move, but they knew that time moved on. She stated that they had had a wonderful group of members through the years.

Ms. Mapes stated that when she had moved to the city, there were 60 garden clubs in the city, in 1958, but now they were down to 11 or 12. She stated that, however, there were still hard workers and that they supported the city and the Beautification Board.

Mayor Battle asked Chief Howard McFarlen of Huntsville Fire & Rescue and Mr. Dale Strong, Chairman of the Madison County Commission, to come forward. He stated that he believed they had a very nice presentation from Mr. Strong to the Fire Department. He stated that this was one of the ways of showing that everyone in the area worked together, noting that working together was very important.

Chairman Strong stated that several months prior, he had been made aware of a need, and that he had wanted to come

forward at this time. He read from a letter addressed to Mayor Battle and the Huntsville City Council President, stating that for many years Huntsville Fire & Rescue had been a true partner with the Greater Madison County area, responding, under mutual aid agreements, to assist in fire suppression, hazardous materials scenes, and heavy rescue. He stated further that enclosed they would find the title and keys to new 2015 GMC 6.6 liter, 4-wheel drive truck, purchased on a bid from Bentley Automotive Group in Huntsville. He asked that they use the vehicle in any way they might wish in furtherance of public safety for the greater community. He stated that he greatly appreciated the City of Huntsville's commitment to working with others in time of need. He stated that they should not hesitate to call if he could be of assistance.

Chairman Strong stated that he wanted to present this to Mayor Battle and also to Chief McFarlen. He stated that the title had been forwarded to Mayor Battle's office and the keys to the Chief. He stated that this was something the Madison County Commission wanted to do for them.

Mayor Battle and Chief McFarlen expressed appreciation for this.

Chairman Strong thanked Chief McFarlen for all his organization did for them.

Chairman Strong stated that he was aware that this was Councilman Olshefski's last night on the Council and stated that he wanted to thank him for his commitment to the City of

Huntsville. He stated that during the time he had served on the Council, he had made an impact on the city, the county, and the greater area. He stated that in April 2011, Councilman Olshefski had been right there in the room when a lot of tough decisions had been made. He thanked him for his leadership, for his love of Huntsville and the greater Huntsville area, and wished him the best in the days ahead.

Mayor Battle asked that the Council take Item 15.q, Resolution No. 14-798, out of order at this time, so that they could go ahead and accept this very kind donation from the Madison County Commission.

President Russell stated that if there was no objection from any Council member, the Council would at this time consider item 15.q, Resolution No. 14-798.

President Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-798)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

The minutes of the Regular Meeting of the Council on October 9, 2014, were approved as submitted.

Councilman Showers read and introduced a resolution congratulating the Lakeside United Methodist Church on their

113th Harvest Celebration, November 7 and 9, 2014, as follows:

(RESOLUTION NO. 14-796)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers stated that he would be presenting the resolution at the time of the event.

Councilman Showers read and introduced a resolution commemorating the life of Deacon Laverne Reed, as follows:

(RESOLUTION NO. 14-797)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers stated that Deacon Reed had passed away on October 16 and that the final services would be on the following day at 12 noon at the Union Chapel Missionary Baptist Church. He stated that at that time he would present the resolution to the family, on behalf of the Mayor and the Council members.

President Russell asked the Council members to join him at the front of the podium.

President Russell stated to Councilman Olshefski that on behalf of the Council and the Mayor, they wanted to thank him

for his four years of service to the Council. He stated that they had come to know him as the Garrison Commander at Redstone Arsenal and had always had a great working relationship with him. He stated that they would miss him, that he had been a great friend to the Council. He continued that there was no one that had done the job as a Councilperson with more enthusiasm than Councilman Olshefski had over the prior four years. He stated that he had enjoyed being around him, that he had taught him a lot, and that he loved his heart and how he did things. He stated that he was certainly going to be missed.

President Russell stated that he believed the other Council members wanted to say a word or two about Councilman Olshefski. He recognized Councilman Showers.

Councilman Showers stated that this was a bittersweet time. He stated that they had certainly enjoyed Councilman Olshefski's stay, that he had made a difference, and that they were all better Councilpersons because he had passed their way.

Mayor Battle stated to Councilman Olshefski that he had certainly added some excitement to the meeting, that he had added color, colorful analysis, and everything else. He stated that one thing was that when Councilman Olshefski left, he would not really leave, that they would still have his passion, the love of the city that he had brought to them every day. He stated that Councilman Olshefski had served on the Council

because he loved the city, that he had loved it when he was Garrison Commander and he had loved it while serving on the Council. He stated that although Councilman Olshefski might not be sitting in a seat on the Council, he felt they would see him out in the audience a few times and would see him on a regular basis in his new capacity on his job with Huntsville Utilities.

Councilman Kling stated to Councilman Olshefski that it had certainly been an interesting four years and that they had enjoyed having him on the Council. He stated that they had had some issues on which he had agreed with Councilman Olshefski at times and disagreed at other times. He stated that Councilman Olshefski had always been a guy who cut to the chase, and if he saw an ordinance that just did not make sense, he would go to bat and would make such ordinance right. He stated that he had very much agreed with this and that he appreciated the strong dedication he had had. He stated that he had been a great fighter, that there had been some issues that he had taken on and turned around and actually brought some common sense to. He stated that they certainly appreciated him and the things he had done, that he had led the city, that he had led the district he represented, and he had worked hard and had done a great job.

Councilman Culver stated that he had nothing but the utmost respect for Councilman Olshefski in terms of how he had discharged his duties on the Council, in terms of how he

represented not only South Huntsville but the entire city. He stated that he did not believe his district could have selected a better person to represent their interests. He thanked him for his service and stated that he was still looking forward to working with him with Huntsville Utilities. He stated that he had a direct line of credit there because he had a lot of constituents who needed help with their utilities.

Councilman Olshefski stated that when he had run for the Council, he had had a great team working with him, and recognized some of these persons in the audience and stated that he certainly appreciated all of them. He also thanked many of the City employees who had worked with him, noting that they all did a terrific job.

Councilman Olshefski stated that there had been good times and tough times during his tenure on the Council, but the good times outweighed the tough times. He stated that the City staff was the greatest staff he had ever dealt with, including his 27 years in the Army. He stated that he thought he had had a great staff at Redstone, but that the City staff was the best. He stated that all he had to do was call and tell the members of the staff he needed their assistance, and they would immediately respond.

Councilman Olshefski also recognized the persons that he was working with at Huntsville Utilities, noting that he certainly appreciated them.

Councilman Olshefski thanked his fellow Council members,

as well as Mayor Battle.

President Russell stated that the Administration had asked that the Council approve Item 14.a, Ordinance No. 14-823, at this meeting, so that they would need unanimous consent on that item. He stated that Item 15.y on the agenda had been deleted.

Councilman Kling asked if this would be the time that he could call for a Special Session of the Council to follow the Organizational Session to be held on Monday, November 3, in order for the Council to consider items 15.dd, Resolution No. 14-853 and 15.ee, Resolution No. 14-854.

President Russell stated that the public would be notified 48 hours prior to any such meeting, and that it was noted that Councilman Kling was requesting this.

President Russell stated that the next item on the agenda was Public Hearings to be Held.

President Russell stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

President Russell recognized Mr. Ken Benion, Manager of Community Development.

Mr. Benion stated that the above resolution identified 53 properties that were in violation of the City's grass and weed ordinance. He stated that these properties were identified on Attachment A by the owner and location of the property. He stated that the owners had received written

notification, by regular mail, that they were in violation of the ordinance and had been given 14 days to correct the violation. He stated that all 53 owners had failed to respond, and that Community Development had issued work orders to cut these properties, at a total cost of \$12,580.05 and an average cost of \$235.48. He stated that Attachment A also identified the date and cost for cutting the properties.

Mr. Benion stated that the owners had received written requests, by regular mail, for payment, and they had failed to respond, so that he was requesting that property assessments be placed on these properties in order to collect these costs.

Mr. Benion stated that the owners had been notified of this proposed action and might wish to speak at this time.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular issue.

Mr. Harold Smith appeared before the Council, stating that he was representing the property at 2410 Halmac Drive, NW. He stated that he had received only one notice concerning this matter, which was for the meeting at this time. He continued that this had a wrong address on it, that it had been addressed to him at P.O. Box "11212," when it should have been addressed "11312." He stated that in addition to that, he had cut the grass at this location on several occasions. He stated that, in fact, there was a neighbor who had stated to him in front of one of the members of the Council that he had seen him cut it

four or five times. He stated that, also, when they had gone over to look at the property, there was a significant amount in the back that the City had not cut.

Mr. Smith stated that he did not feel this assessment was correct and felt it should not be placed against the property.

Councilman Culver stated that Mr. Smith lived in the district he represented and that he had notified him about this matter.

Councilman Culver stated to Mr. Benion that he had gone by the property and the gentleman to whom Mr. Smith was referring, who lived down the street from the property, had told him that he saw Mr. Smith on that particular day, he believed the 20th of August, because that was his daughter's birthday, cutting the grass.

Councilman Culver stated to Mr. Benion that he had looked at the letter that had been sent to Mr. Smith, and that aside from the address, it had included the word "vegetation." He stated that he had looked at this property, and that to him it was in violation at this time. He asked if this just concerned the grass, noting that the grass was cut very low, but that behind the house, it was like going through a jungle, that there were all kinds of shrubbery, weeds, everything imaginable. He asked if it would be only the grass that would be cut or if it would be the tall weeds, shrubbery, and things such as that.

Mr. Benion stated that it would depend on the particular

situation. He stated that the ordinance addressed weeds and grass, and that if it was shrubbery, they most likely would not do anything with that. He stated that there were limitations on what their equipment could do. He stated that he would have to look at this property in particular and see specifically what had happened in that case. He stated that he would also have to talk to the inspector who had actually worked the area.

Councilman Culver stated that he would certainly like to meet Mr. Benion and the inspector at the location. He stated that he would be meeting with Mr. Hatfield on another matter on Monday morning, and that he would be in proximity to that area. He stated that if it were at all possible, he would like for Mr. Benion to see this property. He stated that Mr. Smith had been cutting the property, but that, in his opinion, he was still in violation.

Councilman Culver asked if there was anything they could do to postpone this matter. He continued that there was also the matter of the wrong address. He asked if Mr. Smith could perhaps be given an opportunity to work this out.

Mr. Benion stated that they would have to look at it. He stated, concerning the address, that they pulled the addresses from the Tax Assessor's records. He stated that he was not aware if this was a typographical error on his department's part or on the Tax Assessor's part. He stated that they could certainly meet Councilman Culver on the following Monday and look at this property, and then they would have to make a

judgment as to whether they had made an error or whether it was an actual violation.

Councilman Culver stated that if Mr. Benion would advise him as to a time, he would certainly meet him at the location.

Mr. Smith stated that he had only been involved with this property since May 20 of the current year, when a Certificate of Land Sold for Taxes had been issued to him. He stated that he had had no connection or involvement with this property at all prior to that date. He stated that he also wanted to meet with Councilman Culver and Mr. Benion on the following Monday, and stated that when they met, they would see that the growth in the back had clearly been unattended for several years. He stated that the only reason he had not taken care of that when he had first gone out to cut the grass at the property was because there had been several wasp nests there and he was just waiting on that part until it would get cold enough that the wasps would be dormant. He continued that he did plan to clear out that debris.

Councilman Culver asked Mr. Joffrion if it was correct that once a person acquired a property through a tax sale, he would inherit the overgrown vegetation.

Mr. Joffrion stated that that was correct, that such was treated as that person's responsibility.

Councilman Culver stated that that would be correct, as well as the physical structure, in terms of the fascia boards and anything related to the house.

Councilman Culver stated to Mr. Smith that he would look forward to meeting with him at such time as Mr. Benion would set the time.

President Russell asked if there was anyone else in the audience who would like to address the Council on this particular issue.

Mr. Michael Williams, 111 Leona Lane, appeared before the Council, stating that he had two concerns, with the first being not getting a lien placed against his property, noting that he had attempted twice to pay this fine. He stated that his second concern had to do with the fine being assessed against them at all, because they had not received the written notice.

President Russell asked Mr. Williams how he had attempted to pay this twice.

Mr. Williams stated that they had sent two different checks through their bank. He stated that they had actually contacted Mr. Benion's office earlier in the day, and that he was just appearing before the Council to make sure that his address was not on the list of addresses. He stated that he had been advised that it would not be, but that he wanted to appear before the Council to make sure it was not on the list.

President Russell inquired as to the address.

Mr. Williams stated that it was 111 Leona Lane.

Mr. Benion stated that 111 Leona Lane was on the list, but that they would not be placing a lien on this property. He stated that he believed Mr. Williams worked through a bill-pay

type of situation and that USAA had sent the check to the City of Huntsville without any reference number on it, and that it had twice gone to the Clerk-Treasurer's office, and they had forwarded it to a different department.

Mr. Benion stated that after Mr. Williams had notified his department that they had paid this assessment, they had started an attempt to track down the check, and that they had tracked it down, and they had notified Mr. Williams' wife earlier in the day that they would not be placing a lien on this property. He stated that because this paperwork to the Council had been submitted in advance, the address was on the list. He reiterated that a lien would not be placed on this property.

President Russell asked Mr. Williams if this satisfied his concern.

Mr. Williams replied in the affirmative.

President Russell asked if there was anyone else in the audience who would like to address the Council on this particular matter.

There was no response.

President Russell stated that the public hearing was closed.

President Russell read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties, as follows:

(RESOLUTION NO. 14-799)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell moved to withdraw from the list 2410 Halmac Drive and consider it at the next Regular Meeting of the Council, on November 6, 2014, which motion was duly seconded by Councilman Showers and unanimously approved.

President Russell called for the vote on Resolution No. 14-799, as amended, and it was unanimously adopted.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-318, Substitute A, amending Article 74, Non-Conforming Lots; Non-Conforming Uses of Land; Non-Conforming Structures; and Non-Conforming Uses of Structures and Premises by deleting the existing Section 74.1, Non-Conforming Lots of Record, and adding a new Section 74.1, Non-Conforming Lots of Record and Unified Lots, which hearing was set at the September 11, 2014, Regular Council Meeting.

President Russell asked Ms. Ashley Nichols of the Planning Division for an explanation of the above ordinance.

Ms. Nichols stated that this proposed ordinance, concerning non-conforming lots, had been before the Council earlier in the year, and that a public hearing had been held on June 26, 2014, at which time consideration of Ordinance No. 14-318 was postponed to the regular meeting of the Council on July 24, 2014, so that the Council members could discuss the

matter with their constituents. She continued that at the July 24, 2014, meeting, at the request of the Planning Staff, the ordinance was sent back to the Planning Commission for clarification of some language within the definitions.

Ms. Nichols stated that at this time the ordinance had been clarified, noting that the portion that was highlighted in green on the display had been two clauses that were combined, and that language had been added concerning "unified lots," as follows: "Where two or more contiguous lots under common ownership are sufficient to create one lot of dimensions conforming to the requirements for the district in which the lots are located, but the lots are not sufficient for the creation of two or more fully conforming lots, then all of the said lots shall be deemed merged into one lot." She stated that this was primarily for the older subdivisions, where there might be one home on two or more smaller lots, noting that if they were under the same common ownership, they could just be combined into one lot.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Russell stated that the public hearing was closed.

Councilman Kling moved for approval of Ordinance No. 14-318, Substitute A, amending Article 74, Non-Conforming

Lots; Non-Conforming Uses of Land; Non-Conforming Structures; and Non-Conforming Uses of Structures and Premises by deleting the existing Section 74.1, Non-Conforming Lots of Record, and adding a new Section 74.1, Non-Conforming Lots of Record and Unified Lots, which Ordinance No. 14-318, Substitute A, was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-318, SUBSTITUTE A)

Said motion was duly seconded by Councilman Culver.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-669, rezoning property lying on the east and west sides of South Shawdee Road and on the north and south sides of South Village Square Road from Residence 2-A District and Neighborhood Business C-1A District to Residence 1 District (11.05 acres), from Residence 2-A District and Neighborhood Business C-1A District to Neighborhood Business C-1 District (4.44 acres), and from Residence 1 District to Neighborhood Business C-1 District (0.01 acre), which hearing was set at the September 11, 2014, Regular Council Meeting.

President Russell asked Ms. Nichols for an explanation of the above ordinance.

Ms. Nichols stated that the current zoning of the property had been in existence since 1974, noting that prior to that

time, the property had been in the County. She stated that it had been annexed and zoned Residence 1 District. She continued that the property that was depicted in the green hatched area on the display was zoned Residence 2-A District, which she noted accommodated single-family as well as multi-family dwellings. She stated that the area that was depicted in purple was zoned Business C-1A District.

Ms. Nichols stated that the current property owner would like to have rezoned the portions of the property highlighted in red, the portion of multi-family, as well as the portion of Commercial. She continued that the owner would like to shift the Commercial property south of South Village Square into one parcel, noting that at this time it was split by South Village Square Road, which had not been in existence when the area was initially annexed into the city and zoned. She continued that the owner would like to rezone the Residence 2-A District portion of the property to Residence 1 District, which she noted was consistent with the surrounding Residence 1 District zoning depicted in brown on the display, which she noted was for single-family, detached dwellings only. She stated that the owner would like for that to be consistent, as well as the portion that was between South Village Square and the south portion, noting that that was zoned Business C-1A. She continued that the owner would like to move all of the Business C-1A into the south parcel and zone it as Business C-1 District.

Ms. Nichols stated that the Residence 2-A District zoning would mostly eliminate any multi-family, high-density development, and that the Business C-1 District would be on just one parcel rather than split between two parcels.

President Russell asked if there was anyone in the audience who would like to address this matter.

Mr. Mark Prill, 5228 Riverview Drive, appeared before the Council, stating to Councilman Olshefski that he had supported him in the election and had asked him to vote his conscience, and that he had done so, and that he appreciated it. He stated that on behalf of the Green Mountain Civic League, he would like to thank him for his previous representation on the Council and representing their interests.

Mr. Prill stated that he would also like to thank Mr. Friday for his support in the discussion he would be presenting. He stated that the Council members had in front of them a handout he had previously presented, on behalf of the Green Mountain Civic League and The Preserve Homeowners Association, at the Planning Commission Meeting, where they had opposed this rezoning effort. He stated that he was also the President of the Green Mountain Civic League, and that he was representing both the Green Mountain Civic League and The Preserve Homeowners Association.

Mr. Prill stated that the handout he had presented briefly set out an agreement they had reached with Mr. Mike Friday concerning this particular rezoning effort. He stated that

this was just to achieve an agreement in principal, in order to allow them, the Green Mountain Civic League, to purchase the subject parcel on the southwest corner of South Village Square and South Shawdee. He stated that the sense of the Green Mountain Civic League Board and The Preserve Homeowners Association, which he would refer to as just the Green Mountain Civic League, was to pursue the opportunity they had been offered to purchase this land. He stated that the approach as drafted represented a "Sense of the Board," and that he was speaking on behalf of the Green Mountain Civic League community at large.

Mr. Prill stated that on the following page of the document that had been presented, it stated that "The Green Mountain Civic League community members themselves have not yet had the opportunity to engage in a direct discussion on the approach, nor identify/prioritize potential alternative uses." He stated it was understood that until the civic league community at large has been given an opportunity to engage, there was no particular commitment, no prioritization, to any definitive uses as of this time.

Mr. Prill stated that the willingness of the Green Mountain Civic League community to raise the money and actually purchase the lot, in order to avoid commercial development, had yet to be proven, that this was the challenge to their community. He stated that it was understood that if the property purchase option was not exercised within the allotted

agreed-to time frame or an extension was not otherwise negotiated, the agreement would become null and void, that the developer would retain the Commercial zoning and would be free to develop the Commercial as was previously planned.

Mr. Prill stated that the graphic on the following page depicted the potential options they would have, with one being a singular purchase by the Green Mountain Civic League, and the other being for the community to engage with the City and/or the County in order to attempt to come up with a joint solution. He stated that they would pursue both of those particular efforts. He continued that they would be given a time period of four months, unless it was otherwise negotiated, in order to be able to effect the agreement with Mr. Friday, and then if they were successful on this, they would have an additional 24 months beyond that, in which time they would be given an opportunity to begin implementation of whatever the final design solution would be.

Mr. Prill stated that given this framework for this agreement in principal, the Green Mountain Civic League would withdraw its opposition to this rezoning effort and would support the rezoning as presented at this time.

(Submission by Mr. Prill)

President Russell asked if there was anyone else in the audience who would like to address the Council on this matter.

There was no response.

President Russell stated that the public hearing was

closed.

Councilman Showers moved for approval of Ordinance No. 14-669, rezoning property lying on the east and west sides of South Shawdee Road and on the north and south sides of South Village Square Road from Residence 2-A District and Neighborhood Business C-1A District to Residence 1 District (11.05 acres), from Residence 2-A District and Neighborhood Business C-1A District to Neighborhood Business C-1 District (4.44 acres), and from Residence 1 District to Neighborhood Business C-1 District (0.01 acre), which was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-669)

Said motion was duly seconded by Councilman Olshefski.

President Russell called for the vote on Ordinance No. 14-669, and it was unanimously adopted.

President Russell stated that the next item on the agenda was Communications from the Public. He stated that persons would have three minutes to address the Council.

Ms. Sherrie Saunders, 6231 East Upper River Road, Somerville, appeared before the Council, stating that she was appearing on behalf of the Committee to Protect the Homeless. She stated that she would like to know the status of the investigation into the death of Mr. Mark Pridmore. She stated that at the September 25 meeting of the Council, she had understood there was going to be an update given from the Chief of Police. She stated that she was simply attempting to

determine if the City Council had received any updates and if they could be discussed with the family of Mark Pridmore, whom she noted was present at the meeting.

President Russell asked Chief Lewis Morris of the Police Department to come to the microphone.

Chief Morris appeared at the microphone.

President Russell stated to Chief Morris that a citizen had expressed concerns about an update concerning Mr. Pridmore and asked if he could update the Council and the public on this matter.

Chief Morris stated that he would have to talk to the District Attorney's office concerning this matter. He stated that there had been a criminal charge made in the case, so that there was a pending criminal case. He stated that he would feel uncomfortable discussing it at this time without the District Attorney, that he would not want to compromise the case.

President Russell asked Chief Morris if citizens could contact the District Attorney and get this information.

Chief Morris replied in the affirmative.

Ms. Jackie Pridmore, 124 Cottondale Road, Toney, appeared before the Council, stating that she was the ex-wife of Mark Scott Pridmore, who had been murdered on September 6, 2014. She stated that she was now the voice for Mr. Pridmore, and she was not going to be a silent one.

Ms. Pridmore stated that she had many questions concerning

the investigation into Mr. Pridmore's death, but that the only one that really haunted her daily concerned a certain video. She stated that this video contained incriminating evidence of a certain Transportation employee, that it was key material in proving negligence, or even worse. She stated that the family had uncovered this information within 24 hours of Mr. Pridmore's death, so that, naturally, they had passed it on to their investigator.

Ms. Pridmore stated that the investigator had viewed the original video, only to say that there was a glitch in the video exactly where the evidence had been, or should have been. She continued that after finding out that the video was recorded on a phone, with no glitch, the investigator had downloaded the video and then deleted it off of the phone.

Ms. Pridmore stated that even though they had witnesses and statements, no one would talk to them about what the investigator had done with this certain video. She stated that Mr. Pridmore's family, along with their advocates, had had a meeting with the Assistant D.A., and that after he had heard about the video, he had stated that he would speak to the investigator and get back with them. She stated that he had also told them to contact him at any time.

Ms. Pridmore stated that several weeks had gone by, and that she had called to ask about the video, and she was told, that the Assistant D.A. had nothing to say at the time, and that when he did, he would call her.

Ms. Pridmore stated that she had really thought that this person worked for the victim, and that every lead in the case would be investigated. She stated that all she wanted was the truth. She stated that if a civilian withheld key information, that person would be charged with obstruction of justice. She asked why this investigator was any different. She continued, questioning if it was Mr. Pridmore's status, because he was homeless. She stated that perhaps they had believed that no one would care. She stated that she cared, and that she only wanted to know the truth.

Ms. Pridmore stated that a police officer's universal slogan was "To Protect and To Serve." She asked who was being protected in this situation.

Mr. Jasper Curry, 3819 Millbrae Drive, NW, appeared before the Council, stating that his group had appeared before the Council previously, and that they were present at this time to update the Council on the current status of the mail processing plant on Wall-Triana Highway. He stated that the last time they had spoken to the Council, part of the mail at this facility had been moved to Birmingham. He stated that at this time the Postal Service's position was that they wanted to move forward and complete the closure of the plant.

Mr. Curry stated that he would like to thank everyone who had helped his group with this matter, including Mayor Battle, the Councilpersons, and Congressman Mo Brooks, whom he stated had been very helpful to them. He stated that they had

contacted Governor Bentley for support and had been told that this was a Federal matter. He stated that perhaps the City officials could assist them in getting the Governor to give them a voice. He stated that they were aware that Senator Shelby could have a major impact on this matter and stated that perhaps the City officials could also help with this.

Mr. Curry stated that, as the Council was aware, they had been under a moratorium to put everything on hold until 2016. He continued that, however, the Postal Service had decided that they were not going to honor the moratorium and were going to start the closure of the plant in January of 2015. He continued that they expected the closure to be completed by the fall of 2015. He stated that that was where this matter stood at this time.

Mr. Curry stated that this was called "Phase 2 of the Postal Service's Rationalization Network." He continued that Phase 2 required that the service standards be downgraded, so that the service that persons got now, they would no longer be able to receive. He stated that, for example, concerning first-class letters, persons were now supposed to be able to get them overnight, but that this would be downgraded from one night to two nights, or two days, or in some cases, two to three days. He stated that what they were saying was that the plants would be consolidated, but there would be less service.

Mr. Curry stated that his group felt that this was

unacceptable, that if they were going to downgrade, or consolidate, persons should get better service, that the speed of the service should be faster.

Mr. Curry stated that in order for Phase 2 to happen, the Postal Service would have to get approval to change the service standards. He continued that they hoped that Congress would not grant the approval to change the service standards.

Mr. Curry stated that his group was aware that they had to downsize and save money, considering the cost of everything, but, at the same time, the purpose was not only to make money but to serve the customers. He stated that they had to remember that their No. 1 priority should be service.

Mr. Curry stated that he felt that if the Postal Service had to cut the service to downsize, it just should not be done. He continued that the service should be improved.

Mr. Curry stated that he had passed out a copy of the OIG Report, noting that they had just come down and done an audit. He stated that he would like to call the Council's attention to page 2, where it said, "The Postal Service must provide adequate public notice to communities that are affected by proposed network rationalization decisions." He continued that it said that the Postal Service had to take public comments into account before making a final decision and afford ample opportunity for public input.

Mr. Curry stated that before this would be done, they were asking the Council to contact the Postal Service to have a

sit-down meeting with them, and that they share with them the impact this would have on the community. He continued that Huntsville was a growing community. He stated that the last meeting with the Postal Service had been in Decatur, and he reiterated that they should request them to come to Huntsville and have a meeting, and let them know how downgrading service would impact the city and the customers and stakeholders.

Mr. Curry stated that they looked forward to serving persons during the Christmas holidays, and that they hoped they got their mail on time.

Mr. Sheldon Thomas, 105 Sugar Bluff Lane, NW, Madison, appeared before the Council, stating that he wanted to speak concerning some of the same things that Mr. Curry had commented on. He stated that they were also trying to take the employees to Birmingham, that it would not be just for the mail processing being closing. He continued that in January they would start the process, and that April the 18th was supposed to be the last of the letter mail, that everything would be in Birmingham. He stated that at this time the flat mail was in Birmingham. He stated that this matter was a strain on everyone in Madison, noting how it was growing, and stated that Huntsville was also growing and was having the same problems.

Mr. Thomas stated that the overnight delivery situation was not going to affect only Huntsville but also Madison and all surrounding areas. He stated that if one mailed a card to their next-door neighbor, it would most likely take two days to

get there. He stated that there would not be a Huntsville postmark on a letter, that there might be a Birmingham postmark, or perhaps not. He stated that he had gotten several letters from Birmingham that did not even have a postmark on them. He stated that they should preserve their postmark in Huntsville, as well.

Mr. Thomas stated that they were asking the Council and Mayor Battle, or anyone else who could have some kind of contact to the upper levels, to help present this information to them. He stated that persons getting their medicine through the mail would also see this delayed. He stated that church bulletins might also be delayed, as well as sales literature from various businesses. He stated that by the time persons received these circulars, the sale would be over.

Mr. Thomas stated that he was not certain if persons were aware that no matter which box they might put their letters in, it would be consolidated into one machine, no matter what had been paid for it.

Mr. Thomas stated that the Postal Service was also claiming that the mail was declining. He continued that the mail might be declining in one city, but that in another city it might be growing. He stated that when it declined nationwide, this city might have increased. He stated that he could speak concerning Madison because he worked there and stated that Madison got more parcels and more letters than any facility in the area, of approximately 30 offices. He stated

that at times their carriers did not get to the streets until 11:30 or 12:00, while the Huntsville carriers were on the streets between 9:30 and 10:00. He stated that at 5 o'clock they were supposed to be off the street, but at that time carriers were still on the streets delivering mail and trying to get it out there. He stated that when he was coming to the Council Chambers earlier, he was still seeing trucks coming back into the post office.

Mr. Thomas stated that the Postal Service was showing one dimension, that they were losing money in the fiscal years, but stated that they also had to take into account the pre-funding of health care. He stated that the Postal Service was the only government agency that had to present that up front, the pre-funding of health care.

Mr. Bryan Walls, 4304 Holmes Avenue, appeared before the Council, stating that he was a member of the Rocket View Community Association, which he noted was the neighborhood just east of UAH, between Sparkman Drive and Jordan Lane.

Mr. Walls stated that the Rocket View Community Association had recently invited UAH to attend one of their meetings, noting that they had monthly meetings for the neighborhood. He stated that they had asked them to come and talk to them about their plans for the future and how their neighborhood could work together with UAH. He stated that UAH had come back with a counter-offer for them to come to the campus, noting that they were actually going to prepare dinner

for them, and talk about their plans.

Mr. Walls stated that in the planning for this meeting, the President had mentioned to them that UAH was planning to buy University Park, which he noted was a City park located between their neighborhood and the University. He stated that he had just found out earlier in the day that this was on the Council's agenda for discussion at this meeting. He stated that he had spoken to Councilman Kling about this, and he had advised him that this would be broken out into a separate meeting.

Mr. Walls stated he would recommend that if at all possible, that meeting be after the UAH meeting, because since they had made this a dinner meeting and invited the entire community, they had done a newsletter and a flyer, announcing the meeting, and they had gone door-to-door and delivered this within their neighborhood, and they were expecting a lot of persons to be in attendance at this meeting. He stated that if there would be a meeting before that time, that even if the neighborhood was invited, there would be no way to get the same coverage of persons who would know about it.

Mr. Walls stated, concerning the park, that he was not opposed to this, that he believed it could possibly be a good thing, but that he was aware there was some concern within the neighborhood, and that if they could hear what UAH had to say so that they could get feedback prior to any kind of decision being made, he felt that would be helpful.

Mr. Walls stated that he would also like to ask if there was some way his group could get notice of things that would impact the neighborhood, if there was some way the neighborhood association could get some heads-up ahead of time so that they could distribute it among their people.

Councilman Kling stated that when he had become aware of this matter, he had spoken with Mr. Hamilton, and also with Mr. Patterson and Mr. Ivey in the Recreation Department. He stated that what he believed they were trying to get worked out was some discussion about what was being proposed at this Council meeting, and then to carry it over for some possible action during a special session of the Council that would take place on November 3. He stated that he realized this was before the November 10 meeting. He stated that as he understood it, the November 10 meeting would cover numerous things that would take place in the neighborhood, including the proposed sale.

Councilman Kling stated that what he would like to do would be to set up a meeting at some time in the following week, noting that they would go the extra mile to get in contact with everyone in the neighborhood concerning this, and have persons from UAH and the City Recreation Department attend. He stated that this meeting would perhaps be held in the Council Chambers or perhaps somewhere out in the neighborhood. He stated that they would try to do this the following week, which he noted would provide time for the

neighborhood to understand what was being proposed specifically on the University Park project. He stated that he had heard some things about it that certainly looked promising, noting that he believed what was being proposed was that if UAH got the park, they would continue to use it for recreational fields.

Councilman Kling stated that they wanted to let the neighborhood know about this, noting that he was aware that there had been contact made with the Continental League persons, and that they were on board and understood what was going on in this regard. He stated that he wanted to make sure that the neighborhood understood this and had the opportunity to voice input on it before any action would be taken by the Council concerning it.

Councilman Kling reiterated that the Council might hold a meeting specifically for the neighborhood, on this one item, during the following week, and then the Council could take possible action on it as part of the November 3 Special Session, and then if something did pass the Council, the UAH Board would still be on schedule to take their action, noting that he believed their meeting was on November 6. He stated that the situation was that the neighborhood would get an extra meeting specifically on this item, and then the November 10 meeting, as he understood it, would deal with this particular item. He continued that he believed there were also other neighborhood issues that UAH was going to interface with.

Mr. Walls asked if there was a reason that this meeting needed to happen so soon, that the meeting on November 3 needed to happen before the meeting at UAH.

Councilman Kling stated that he had determined that the UAH Board of Trustees meeting, which was a quarterly meeting, would be held on Thursday of that week, on November 6. He stated that he did not know why the meeting with Mr. Walls' group had been scheduled after the UAH Board meeting.

Councilman Kling reiterated that the Council could mail out letters to persons in Mr. Walls' group to let them know about this meeting.

Mr. Walls inquired as to whether it was correct that this notice would be mailed out.

Councilman Kling stated that it would be mailed out, and that possibly this would go out in The Huntsville Times and on the internet, noting that they would do everything they could to get the word out regarding this meeting. He stated that they would also advise Mr. Walls' group so they could do telephone networking. He reiterated that the Council would do some mailings to everyone in that area.

Councilman Kling stated that the persons he had spoken with concerning this matter in the Administration and the Recreation Department all agreed that they wanted to make sure Mr. Walls' group was aware of this. He stated that sometimes real estate contracts such as this came up, and that no one was trying to run roughshod, that they wanted Mr. Walls' group to

have all the information before the meeting. He reiterated that the Board of Trustees' meeting was November 6, noting that that was the target they were working on. He stated that if there were action taken by the Council, he believed that at that UAH meeting they would formally accept the Council's contract.

Mayor Battle asked Mr. Walls to leave his contact information. He stated that they had been looking for a group in that neighborhood and just had not recognized Mr. Walls' group.

Mr. Walls stated that he would certainly do so.

Councilman Kling stated that he also believed the group would do great on the internet concerning this.

Mr. Walls stated that that would be only a small part of the neighborhood, that many were difficult to reach.

Councilman Kling stated that this was a very good neighborhood association, that they had been involved in some other projects in the area, with the Planning Department, on the walking trail, and The BIG Picture.

Mr. Walt Hennessee, 10002 Hogan Drive, appeared before the Council, stating that over the past year, he had had to call on several City employees, and that he just wanted the Council to know that every time he had called on them, worked with them, or interacted with them, he could say that they had the best employees he had ever met. He stated that they could certainly be proud of the employees who worked for the City.

Mr. Hennessee stated that, also, as the Vice President of Huntsville South, he would like to express thanks to John Olshefski for his great leadership in South Huntsville. He stated that persons were certainly going to miss him.

Mr. Hennessee stated that he was known as the voice for the animals that did not have a voice. He stated that if the City would like to put together a sensible and achievable no-kill program, he would love to be involved in it. He stated that if that was something that made sense for the City and they wanted to put together a program that was achievable, he would certainly like to see that come about.

Mr. Hennessee stated that it had been a pleasure to work with the City for the last year or so, and that he looked forward to working with them more in the future.

Ms. Jackie Reed, 1000-A Bob Wallace, appeared before the Council, stating that she would give that address at this time, although she was not certain where she lived anymore. She stated that when Councilman Kling talked about UAH, she would say that she had lived within a block of that when she was removed from her district. She stated that she guessed she lived in everybody's neighborhood in the city. She stated that she had an interest in the park also.

Ms. Reed stated that she wanted to wish Councilman Olshefski the best life had to offer, noting that he had added joy, and some excitement, to the Council. She stated that she had seen many City Councilpersons come and go over the

years, noting that some stayed some too long and some did not stay long enough. She stated that she believed Councilman Olshefski had not stayed long enough. She stated that she appreciated everything he had done, noting that he had been a gentleman. She stated that Ms. Jennie Robinson was present at the meeting, and that she understood she would be sitting in Councilman Olshefski's seat, noting that that was a hot seat. She stated that whoever sat on the Council, they could be assured that Jackie Reed would be on their team, noting that she had enjoyed working with the City, although perhaps some persons had not enjoyed it. She stated that she would continue with this.

Ms. Reed stated that she did want to thank Mayor Battle, President Russell, and Councilman Olshefski for not voting her out of her area, noting that every 10 years there was a redistricting plan and they had to make changes. She stated that in the prior 10-year plan, she had been voted out of her district. She stated that, however, those three persons had not voted to throw her out of her district, and that she would never forget that and always be grateful for it.

Ms. Reed stated that she would like to apologize to Gail in the Mayor's office, because she had been very rude to her. She stated that earlier in the day, she had attempted to get in the courthouse quickly before she went to work, but she could not get in the courthouse because of the toys sitting around the courthouse. She stated that nine parking spaces were taken

up by this, noting that she was not aware if Chad Emerson was doing this or if the Mayor was doing it. She stated that they should take those items to John Hunt Park, that persons needed to be able to get to the courthouse. She stated that she had called the Mayor's office and had been advised that she could walk from the parking garage. She stated that she had told her she did not have time to do this and that she should tell Mayor Battle that Jackie Reed had said to get the toys away from the courthouse, that persons could not park and get in and out of the courthouse. She stated that she would not have a problem with these being put up at night when they wanted to party-hardy, but that persons did want to get in the courthouse.

Ms. Reed stated that she had a big issue, being the Holiday Inn development. She stated that she was saying no, that there be no 99-year lease for the Holiday Inn developers. She stated that this was way too long to give anybody, noting that the Council members would not be there. She stated that they did not need a 99-year lease, noting that 50 years for that property would be long enough. She stated that they should recall that they had paid \$6.8 million for the property. She stated that they were going to give this developer a lot of stuff. She stated that her sign said "No 99-year lease."

Ms. Reed stated that they should leave the Scruggs Center and the Aquatic Center alone, that they did not need that property. She stated that there would not be anything in the

center of the city for the swimmers or the ball people. She reiterated that they should leave that property alone.

Ms. Reed stated that she had read they were going to narrow Williams Avenue and asked why they were doing this. She stated that the city belonged to all the people, not the chosen few. She stated that they needed a way to get in and out of the city, that it was not all about the party-hardy people downtown, with the drunks walking the streets. She stated that persons wanted to be able to get up and down Williams Avenue, reiterating that the city belonged to all the people. She asked Councilman Olshefski if he would help her vote on some of this before he left the Council, noting that she would appreciate it.

Mayor Battle stated to Ms. Reed that it was Rita that she had spoken with in his office. He thanked Ms. Reed for apologizing to her.

President Russell stated that the next item on the agenda was Huntsville Utilities Items. He asked Mr. Gehrdes to provide an explanation of the items on the agenda. He stated that Councilman Olshefski was recusing himself concerning these items and would abstain from voting on them.

President Russell stated to Mr. Gehrdes that persons had heard a lot about scams going on and had seen a lot of publicity about this. He asked him if he could explain what the current scams were and what citizens should do concerning them.

Mr. Gehrdes stated that recently, in fact as recently as the current day, they had seen a spike in scam attempts against both their residential and commercial customers. He stated that it had really ramped up on this date and that they were trying to get the word out to customers that when they received a call from someone who was threatening to shut off their service without payment within 30 minutes, that was not Huntsville Utilities. He stated that they did not treat their customers that way, that they did not do business that way, that they would not threaten to pull a person's meter. He stated that if persons got a call such as that, even if they felt like it might be Huntsville Utilities, they should hang up and call Huntsville Utilities, and they would straighten it out for them.

Mr. Gehrdes stated that persons should not give payment over the phone, noting that Huntsville Utilities did not ask for payment over the phone. He stated that they were just trying to get this word out any way they could, noting that the local news media had picked up on it and that they really appreciated this. He stated that it had gotten to a fever pitch, and they just wanted to warn their customers to be vigilant and understand that Huntsville Utilities did not do business like that, and if they did get a call such as that, to call them and they would straighten it out.

Mr. Gehrdes stated that Huntsville Utilities was coming to the Council at this time with their annual budget work orders,

which he noted had been thoroughly reviewed and approved by the Electric and Gas and Water boards. He noted that there were 22 items. He stated that the Council members might notice that this was somewhat larger than usual, although they did come to the Council with many of these items annually. He stated that much of it would be considered routine, but that he felt he should point out that included in these work orders was the beginning of the construction of the new water plant, located in the southeastern area of the system.

Mr. Gehrdes stated that there were also some items for the expansion of their gas system and completion of the Eastern Loop. He stated that these addressed some redundancy in the liability issues and would improve the integrity of the gas system and help them with some system expansion. He stated that, last, but certainly not least, was the data management system that would precede the deployment of SmartMeters, noting that this was sort of the backbone of what would be necessary in order for them to go in that direction. He stated that there was no deployment or purchase of any SmartMeter equipment in this budget. He continued that they were making good on their promise to the community to be sure that they gave plenty of notice before any of this would occur. He stated that they wanted to be sure that everyone was aware that they were reaching out to neighborhood and homeowner associations presently, noting that two of their representatives were attending a meeting at this time, discussing this and various

other things, and taking questions. He stated that he wanted to be sure that the community would have ample opportunity to address any concerns they might have about a move in that direction.

President Russell asked if the Council members had any specific questions for Mr. Gehrdes.

There was no response.

President Russell stated that his questions were more of a general nature, about the southeast water treatment plan. He asked if Mr. Gehrdes could explain how much money they were going to spend in the current year and provide a timetable of when this would be built and why it would be good for the constituents.

Mr. Gehrdes stated that upon approval, the current year's expenditure would be approximately \$15 million. He stated that if this item were approved at this meeting, Huntsville Utilities would send out the request for proposals, seeking bids on the project. He stated that upon awarding the bid, they hoped to begin construction in the following March. He stated that this phase of the project, the first phase of the plant, would be about a 36-month construction project, with, ideally, completion in February 2018.

President Russell read and introduced a resolution authorizing the approval and purchase of materials and labor for new construction for FY2015 (BWO 151-2015) (Utilities: Water), as follows:

(RESOLUTION NO. 14-800)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of materials and labor for renewal and replacement projects for FY2015 (BWO 152-2015) (Utilities: Water), as follows:

(RESOLUTION NO. 14-801)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of transportation items for FY2015 (BWO 173-2015) (Utilities: Water), as follows:

(RESOLUTION NO. 14-802)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of communication items for FY2015 (BWO 174-2015) (Utilities: Water), as follows:

(RESOLUTION NO. 14-803)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of materials and labor for new construction items for FY2015 (BWO 251-2015) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-804)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of materials and labor for renewal and replacement projects for FY2015 (BWO 252-2015) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-805)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of transportation items for FY2015 (BWO 273-2015) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-806)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of computer equipment items for FY2015 (BWO 275-2015) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-807)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of new regulators for FY2015 (BWO 278-2015) (Utilities: Gas), as follows:

(RESOLUTION NO. 14-808)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above

resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell read and introduced a resolution authorizing the approval and purchase of materials and labor for new construction items for FY2015 (BWO 351-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-809)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of materials for renewal and replacement projects for FY2015 (BWO 352-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-810)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of transportation items for FY2015 (BWO 373-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-811)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of communications equipment for FY2015 (BWO 374-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-812)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of computer equipment items for FY2015 (BWO 375-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-813)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of transformers for FY2015 (BWO 377-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-814)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase for the expenses related to operating and maintaining the computer systems for FY2015 (BWO 861200-07-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-815)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the Mayor to execute a Tri-Party agreement among TVA, Huntsville, and Intergraph Corporation, allowing Intergraph Corporation to participate in the Valley Investment Initiative (VII), (Utilities: Electric), as follows:

(RESOLUTION NO. 14-816)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing approval to purchase and obtain professional outside services for the Southeast Water Treatment Plant project, (WBS #S1W-GWTPCONSUL.CSVC & PR #10164604) Utilities: Water), as follows:

(RESOLUTION NO. 14-817)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of metering equipment for FY2015 (BWO 176-2015) (Utilities: Water), as follows:

(RESOLUTION NO. 14-818)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Russell asked Mr. Gehrdes for an explanation of the above resolution.

Mr. Gehrdes stated that this was a routine meter equipment purchase, for the routine replacement of meters that would cycle out of service. He stated that the water meters were on an approximate 15-year cycle. He stated that this was certainly not any SmartMetering equipment, if that was the concern. He stated that they were standard water meters.

Councilman Showers stated that that had been his concern. He stated that there were three items dealing with the purchase of metering equipment, and that he had been concerned if these three items were for the meter readers.

Mr. Gehrdes stated that these were for standard meter purchases, meters that they were currently using, which would be read by a meter reader, on a monthly basis. He stated that the Council had seen this type item appear every year for several years. He reiterated that these were just routine purchases for the replacement of existing meters, that none of it would be characterized as SmartMetering equipment.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution

authorizing the approval and purchase of metering equipment for FY2015 (BWO 276-2015) (Utilities: Gas), as follows:

(RESOLUTION 14-819)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell asked Mr. Gehrdes if this was also for the purchase of regular replacement meters.

Mr. Gehrdes replied in the affirmative.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell read and introduced a resolution authorizing the approval and purchase of metering equipment for FY2015 (BWO 376-2015) (Utilities: Electric), as follows:

(RESOLUTION NO. 14-820)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell asked Mr. Gehrdes if this was also for the purchase of regular replacement meters.

Mr. Gehrdes replied in the affirmative.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

President Russell stated that the next item on the agenda was Board Appointments to be Voted On.

Councilman Kling read and introduced a resolution to reappoint Mark Poslajko to the Human Relations Commission of the City of Huntsville, for a term to expire September 22, 2018, as follows:

(RESOLUTION NO. 14-821)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell stated that the next item on the agenda was Board Appointment Nominations.

Councilman Olshefski nominated Susan Griffin for appointment to The Huntsville Tennis Center Board of Control, Place No. 3, for a three-year term to expire November 28, 2017.

President Russell asked if there were any further nominations.

There was no response.

President Russell stated that the next item on the agenda was Approval of Expenditures.

Councilman Culver read and introduced a resolution

authorizing expenditures for payment, as follows:

(RESOLUTION NO. 14-822)

Councilman Culver moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell asked if there was a Finance Committee report.

Councilman Culver replied in the negative.

President Russell stated that the next item on the agenda was Communications from the Mayor. He recognized Mayor Battle.

Mayor Battle stated that the pop-up parks would be in place for the upcoming week, and he encouraged all citizens to go down and look at them. He stated that it was just a nice thing to have downtown that brought people out to look around the downtown area and look at something a little different, and also to think about what they could do to be part of the downtown area.

Mayor Battle stated that the International Heritage Festival would be held on October 25 at the Burritt Museum from 10 a.m. until 4 p.m.

Mayor Battle stated that the following day was the National Planting Day at City Hall, and he stated that Ms. McKee and Operation Green Team would be out in front of the Municipal Building giving away oakleaf hydrangeas, with

planting information, popcorn and hot dogs.

Mayor Battle stated that the City was doing its United Way coat drive and food drive on the following day, in conjunction with the Planting Day, and there would be a truck out front for persons to drop off their coats that they could donate, and also canned food. He stated that this was a good thing to do.

Mayor Battle stated that the upcoming Saturday would be the last Saturday for Yoga by the River at the Hays Nature Preserve, from 9 a.m. until 10 a.m. He urged people to go out and try this.

Mayor Battle stated that the following week would be the last week of the Mayor's Walk Challenge, 25 miles in 31 days. He stated that they would go to John Hunt Park and would be walking around the park with shelter animals from Animal Control, animals that needed to be adopted. He stated that they hoped persons would come out and adopt an animal and walk their animal, and enjoy it. He stated that Ms. McKee would be there with clean-up bags, noting that it was very important to clean up afterwards. He stated that this event would be on the following Wednesday at 12 noon at John Hunt Park.

President Russell stated that the next item on the agenda was Communications from Council members.

Councilman Culver stated that persons might have noticed there were a lot of students in the audience and stated that he would like to recognize them at this time. He stated that the students were from Alabama A&M University and that they had the

social work policy class of Professor Crystal Boone, and they also had Dr. Plummer's social work policy class, and the AAMU Foundations of American History and Government class. He stated that these were students from Alabama A&M University who were matriculating through graduate school. He welcomed the students to the Council meeting.

Councilman Kling stated that the city had suffered the loss of one of the finest citizens the city of Huntsville had ever had, Mr. Floyd Hardin, noting that Mr. Hardin had been the mayor of Five Points and was a great man and a great friend to many persons, and that he was always an advocate for his section of the city. He stated that he would certainly be greatly missed. He stated that Mr. Hardin had served on a couple of City boards and had done his part for the community in many ways.

Councilman Kling stated that there were a couple of meetings that had taken place over the prior two weeks that he had enjoyed attending. He stated that there was a Huntsville Police Citizens Advisory Council meeting that had been held in the West Huntsville area on the prior Tuesday evening, and that he had enjoyed attending this meeting. He stated that, as he had previously said about Community Watch, there were people in the neighborhoods who were advocates of this program, and they worked with City agencies, such as the Police Department. He continued that this meant that a lot of things would be taking place. He stated that he certainly appreciated all the

citizens who contributed their time to this.

Councilman Kling stated that, also, he had attended the Cornerstone meeting that same evening and had received some marching orders concerning speed bumps and road resurfacing that he would bring to the attention of the appropriate City department, and that hopefully they could make some improvements in that area for the neighborhood.

Councilman Kling stated that two Saturdays prior, he had been up early and working with B.J. Robinson, John and Linda Mabry, and some other persons, at a neighborhood cleanup in the Bailey/Patton Estates neighborhood. He stated that Operation Green Team had had their folks out, and that persons were not going to let a little rain stop them, and they had covered a lot of territory, and he believed that everyone had a good time. He stated to Ms. McKee that they certainly appreciated the support her folks had offered on this.

Councilman Kling stated that the prior Saturday he had picked up a bargain at the Fleming/Westbury Civic Association yard sale that was held on numerous streets. He stated that this had been a great event, with a lot of good prices, and stated that he appreciated the good work that Tom McAdams and the neighborhood had done as far as being an advocate for that section of the community.

Councilman Kling stated that there had been a good town meeting on the prior Monday evening, that they had had an opportunity to talk to his friend from Huntsville Utilities.

He stated that he always enjoyed these town meetings, and that he appreciated the Library providing the room for these meetings at no charge.

Councilman Kling stated that he had enjoyed meeting with Jennie Robinson, stating to her that she was seeing what was going on with the Council. He stated that she would have a tough act to follow, but that it would be nice to have a fellow former School Board member on the Council.

Councilman Kling again extended best wishes to Councilman Olshefski, stating that he would be missed.

Councilman Kling stated that prior to the next meeting of the Council, Gay Ann Nelson from the Council office staff would be retiring. He stated that she had done a lot of work taking care of problems, working with residents in his district, and making sure that requests for information were followed up on. He stated that she was a right arm for him, that he could just call her and give her information, and she would get the problem taken care of. He stated that she was not present at the meeting, but that he did want to mention this, noting that he believed the success he had had in the ballot box had been due to the great work that Gay Ann had done for the people in his district over the past several years. He stated that he wished her well, noting that it would be tough for him without her, because she had certainly been a great co-worker to have servicing the district, as well as the City.

Councilman Showers stated that on November 1,

Lincoya Estates would have its First Saturday Green Team opportunity. He stated that the Green Team, under the direction of Joy McKee and her people, would be in that neighborhood. He stated that they would meet at the corner of Windemere Drive and Lincoya Drive. He stated that Green Team and Public Works would be there with trucks, hammers, edgers, et cetera, picking up any debris that the citizens who lived in that neighborhood would have out on that date. He stated that he would like to thank Ms. McKee and Mr. Hatfield in advance for providing this service at that time.

He stated that this would be held from 9 a.m. until 12 noon.

Councilman Showers stated that he would like to thank all the citizens who had attended the last BIG Picture Academy that had been held at the Knight Center, Alabama A&M University. He stated that it had been a tremendous turnout and there had been a great presentation, with citizens being provided the opportunity to submit what they wanted to see happen in North Huntsville.

Councilman Showers stated that he wanted to remind all the citizens that on the following Saturday, October 25, in Birmingham, Alabama, there would be the annual Magic City Classic. He continued that this was a game between Alabama A&M University and Alabama State. He stated that the parade would start at 8 a.m. and the game would begin at 2:30 p.m.

Councilman Showers stated that earlier in the meeting, the

Council had heard a report from two postal workers. He stated that he would like for the Council to have a work session concerning this matter, noting that there was the possibility of the Postal Service being tremendously reduced in Huntsville and Madison County. He stated that he would like to have this work session in order to give the citizens an opportunity to voice their opinion about this possible decline in the Postal Service. He stated that he would like to have this work session set, and he would like for Mr. Curry and the other gentleman to be advised as to the date of this meeting so that they could communicate it to their personnel.

Councilman Showers stated that two weeks prior, there had been the annual homecoming game at Alabama A&M University, and that they had had people everywhere, that in the parking lots, on the west side of the parking lot, and in the neighborhood they had persons parking. He thanked Alabama A&M University's Public Service and also the City of Huntsville's Public Service for the fine work they had done in working with the traffic situation on that particular day. He stated that, however, he did have some concerns regarding this. He stated that he had passed out these concerns to the Council members, Mayor Battle, the City Administrator, and the Chief.

Councilman Showers stated that on that date, there had been four vehicles pulled away from the west side of the Parkway. He stated that he wanted to investigate some impounds, noting that he had the numbers listed for the

Council members' review. He stated that, also, he wanted a full investigation of the officers who had issued the impound sheets. He stated that all of the officers knew that Reliable Towing was the impound contractor.

Councilman Showers stated that the Council members might recall that six years prior when they had approved the contract, they had put language in the resolution that there was a consequence for persons who would utilize other services than the City's contractor. He stated that that had not happened in this particular situation.

Councilman Showers stated that they needed to investigate the Police Dispatch officer who had called First Response for the impound. He stated that, also, they needed to get the full name and address of each vehicle owner who had had their car towed. He stated further that they needed to investigate First Response Towing, as to how much had been charged to each owner who picked up a vehicle, and by what paperwork and process each vehicle had been released. He continued that they needed copies of paid tow and storage bills. He stated that, finally, they needed to investigate First Response, as to where vehicles were kept and whether security was in place and whether there was a locked facility, under 24-hour guard.

Councilman Showers stated that he was raising these concerns because they had clearly put in the resolution how to handle any City impound by the Police Department because of the contractor that the Council had approved. He stated that he

had passed these copies on to the Council members, the City Administrator, and the Chief of Police. He stated that they had this format as to what he wanted to see happen with what had happened two weeks prior.

Councilman Showers stated that he was going to ask the Council if they would join with him in holding Item 15.o on the agenda, Resolution No. 14-851. He stated that due to the previous history of the Council in awarding contracts associated with towing, he had asked for a pre-release copy of the request for formal proposal. He continued that he had not received what he had asked for. He stated that when he had received notice that a proposal was being drafted, he had asked that prior to the draft being sent out, he would have an opportunity to review that, but that that had not happened, and the RFP had gone out. He stated that he then had asked for the bid opening to be held, and that was denied.

Councilman Showers stated that upon looking at the RFP since this item had been put on the agenda, he had found that his concerns were justified. He stated that some of the very things that the Council had put in the first resolution were things that they had gone back to in the new proposed RFP.

Councilman Showers stated that the vendors were not limited to City of Huntsville vendors, that no bid bonds were required to allow non-responsible persons to bid, that the RFP allowed towing to be allowed by other contract vendors. He stated that the language in the RFP was expanded to allow

contractors to sub out the work rather than be able to perform all the work themselves.

Councilman Showers stated that it was his understanding that the bid had had specifications that have not been verified: Validation of facilities, equipment, validation of all insurance, liability and workmen's compensation, and whether or not the company and management is stable. He stated that at the end of that was "Abandoned a previous towing contract."

Councilman Showers stated that for the reasons he had just set out, he was asking the Council to hold item 15.o, Resolution No. 14-851.

Councilman Showers stated that he felt he would be remiss if he did not take this time to address current issues pertaining to the Huntsville City School Board and its superintendent, noting that this had affected many of his constituents in District 1.

Councilman Showers stated that he found it disgusting and an affront to the people of District 1, their elected officials, and many of the pastoral leaders when the President of the School Board felt that he could speak in a derogatory way concerning them and their cause to promote equality and justice in the educational system as it related to African American children.

Councilman Showers stated that David Blair was not fit to speak on behalf of the citizens of District 1 or question the

integrity of its elected officials, pastoral leaders, and concerned citizens.

Councilman Showers stated that whether the City wanted to acknowledge it or not, there was a major problem with the educational leadership of the city. He stated that for the City leadership to shut its eyes, close its ears, and pretend all was well with the School System when it was obvious that the School System was being divided along racial lines was a tragedy in and of itself. He stated that the School Board had shown by its actions that it could care less about the minority voice pertaining to their children and their education.

Councilman Showers stated that the Superintendent had shown an attitude of disdain to the African American community, and that the African American community had no faith in his leadership and had called for his resignation. He stated that whether the City dealt with this educational leadership problem at this time or at a later time, it was a problem that had to be dealt with.

Councilman Showers stated that what they really had was a racial problem, that it was not about education, that it was about race. He stated that they could call it by any other name, but that the bottom line was race.

Councilman Showers stated that the Council members would recall that Dr. Ann Roy Moore, the past Educational Superintendent, a black woman, was made to shoulder the failures of the School System, with no support. He stated that

it had been stated by Mayor Battle, in his presence, in his hearing, at a City Council meeting that she had to go. He stated that with no support from community groups or the School Board, her contract had been terminated by the School Board. He asked for what reason. He continued by stating it was for doing what Mr. Blair, Ms. Jennie Robinson, and the rest of the School Board had voted for her to do.

Councilman Showers stated that, yet, the current superintendent, a white man, was allowed to destroy teachers' careers, trample on students' rights, and divide the school system along racial lines. He stated that this was applauded by the same Mayor of the city and praised by the same School Board. He reiterated that race was the problem and stated that unless they dealt with this, it would continue to be a problem.

Councilman Showers stated that he did not want to leave out the Committee of 100, the Chamber of Commerce, Dr. Mary Jane Caylor, the Huntsville Council of PTA's, and the Tennessee BRAC Committee, who had all responded with praise and letters of support. He stated that these were all organizations that in and of themselves had a bad track record of fighting for equality and justice when it came to African Americans and minorities. He asked where their voices were when it came to the disproportionate number of African American students being suspended from schools, where their voices were when seasoned, certified African American teachers were transferred from

northern schools and replaced with one- and two-year Teach For America teachers, working to pay off their student loans. He asked where their voices were when African American parents were disrespected and not allowed to voice their displeasure at the School Board meetings. He stated that their voices were silent, nowhere to be heard, but, yet, when it came to this divisive and dictatorial superintendent, they wanted their voices to be heard in support. He stated that this was typical.

Councilman Showers stated that he wanted to be very clear as to his stance on this issue. He stated that he loved the city, and that he had taught in the School System for 36 years, and that he valued the educational system. He stated that, in fact, that was the reason he was still in Huntsville.

Councilman Showers stated that as a Council member he served the citizens of all of Huntsville, that he did not make a difference in black or white when it came to helping citizens across the city. He stated that, however, he represented District 1, and he spoke for them. He stated that they were not going to sit back idly and let their teachers be targeted and denied due process, or allow students to be suspended and their Constitutional rights be trampled upon, or their parents be disrespected and denied input to their children's education, nor allow the School Board or the Superintendent, the Mayor and other civic groups to disrespect their elected officials, pastoral leaders, and community citizens. He stated that they

should read his lips, that that was not going to happen.

Councilman Showers stated that the North Huntsville Community United For Action, which he noted was comprised of its elected officials, many prominent pastors, and concerned citizens, was calling for the Superintendent's resignation, and that they would continue to do so, in light of his arrogant and vindictive behavior toward the African American community.

Councilman Showers stated that, in closing, he wanted to say that the campaign slogan, "One Vision, One City" was just that, a campaign slogan. He stated that what they really had at this time was two visions and two cities. He continued that the real challenge was how to make it One Vision, One City, in actuality. He stated that this was a challenge he looked forward to.

Councilman Olshefski stated that when he had spoken earlier, he had missed thanking some of the City employees. He thanked several employees at this time, stating that he certainly appreciated how they had worked with him during his term on the Council. He also thanked some other persons in the audience for their assistance.

Councilman Olshefski stated that he would like to remind President Russell that he would be coming off the Planning Commission, as well as the Metropolitan Planning Organization, and that no Council member had been appointed to these positions.

President Russell stated that the next item on the agenda

was Unfinished Business Items for Action.

President Russell moved for approval of Ordinance No. 14-760, amending Ordinance No. 89-79, Classification and Salary Plan Ordinance, which ordinance was introduced at the October 9, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-760)

Said motion was duly seconded by Councilman Showers.

President Russell asked Mr. Byron Thomas, Director of Human Resources, for an explanation of the above ordinance.

Mr. Thomas stated that this was an amendment to the Classification Plan, based upon audits that had been conducted by Human Resources.

President Russell asked if there was any further discussion of this item.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that the next item on the agenda was New Business Items for Introduction.

President Russell read and introduced an ordinance to amend Chapter 8, Article IV, Division 4, Taximeters and Rates, Sections 8-277(a) and 8-277(1), Amounts Charged, of the Code of Ordinances of the City of Huntsville, as follows:, as follows:

(ORDINANCE NO. 14-823)

President Russell moved that unanimous consent be given for the immediate consideration of and action on said

ordinance, which motion was duly seconded by Councilman Showers, and upon said motion being put to vote, the following vote resulted:

AYES: Culver, Olshefski, Kling, Showers, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried.

President Russell thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell asked Mr. Tommy Brown, Director of Parking and Public Transit, for an explanation of the above ordinance.

Mr. Brown appeared before the Council, expressing appreciation to them for considering this item at this time. He stated that essentially what the ordinance would do would be to maintain the current maximum taxi rate. He stated that the rates had been increased when fuel prices had increased some time ago. He stated that, obviously, fuel prices had come down at this time, but that insurance and other things had increased for these companies exponentially. He stated that this would essentially maintain the rates and allow the companies to continue to charge as they were charging at this time.

President Russell asked if any of the Council members had any questions for Mr. Brown or wished to discuss this matter.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that the next item on the agenda was New Business Items for Consideration or Action. He reiterated that Item 15.y on the agenda had been deleted.

President Russell read and introduced an ordinance declaring certain properties surplus by the City of Huntsville and to be sold at public auction, as follows:

(ORDINANCE NO. 14-824)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell moved for approval of a request for approval to advertise and fill one regular, full-time position of Animal Services Officer, Grade 11, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the City Attorney to seek forfeiture of the surety bond issued by Western Surety Company, as follows:

(RESOLUTION NO. 14-825)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke BancorpSouth Bank

Letter of Credit No. 362000515942 for Magnolia Village at Lake Forest Subdivision, as follows:

(RESOLUTION NO. 14-826)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke CB&S Bank Letter of Credit No. 555579 for Anslee Farms Phase 1A Subdivision, as follows:

(RESOLUTION NO. 14-827)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Regions Bank Letter of Credit No. L053466 for Bellewood Park 9th Addition, as follows:

(RESOLUTION NO. 14-828)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke National Bank of Commerce Letter of Credit No. 41000000 for Oakwood Phase 1 at Lake Forest Subdivision, as follows:

(RESOLUTION NO. 14-829)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 14-655 by changing appropriated funding within various departments and funds, as follows:

(ORDINANCE NO. 14-830)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 13-630 by changing appropriated funding within various departments and funds, as follows:

(ORDINANCE NO. 14-831)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell moved for approval of a request to advertise and fill the vacant position of Tax Administration Assistant in the Finance Department, which motion was duly seconded by Councilman Kling and was unanimously approved.

President Russell read and introduced a resolution authorizing the advance payment of travel costs, as follows:

(RESOLUTION NO. 14-832)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville, Alabama, and Sally K. Davis, as follows:

(RESOLUTION NO. 14-833)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Family Services Center, Inc., to convey ownership of 2020 Boardman Street for the purpose of constructing a new HOME Investment Partnership funded home, as follows:

(RESOLUTION NO. 14-834)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Family Services Center, Inc., to convey ownership of 2019 First Street for the purpose of constructing a new HOME Investment Partnership funded home, as follows:

(RESOLUTION NO. 14-835)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a contract between the City of Huntsville and Family Services, Center, Inc., to convey ownership of 3007 Sixth Avenue for the purpose of constructing a new HOME Investment Partnership funded home, as follows:

(RESOLUTION NO. 14-836)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Community Action Partnership of Huntsville/Madison & Limestone Counties, Inc., for weatherization services for the extremely low and low income population, as follows:

(RESOLUTION NO. 14-837)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Alabama Department of Transportation for the Upgrade and Maintenance of a Traffic Signal on U.S. Highway 72 from Shields Road to Maysville Road, Project

No. 65-14-SP17 and NH-0002(564), as follows:

(RESOLUTION NO. 14-838)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Arbors at River Landing, L.L.C. for Stormwater Detention Facility Maintenance, as follows:

(RESOLUTION NO. 14-839)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Garver, L.L.C., for Acquisition Services for Martin Road Additional Lanes from Laracy Drive to Zierdt Road, State Project No. PLH-8512(603) COH Project No. 65-10-RD06, as follows:

(RESOLUTION NO. 14-840)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Land Design Solutions, Inc., for

Landscape Architectural Design Services for Jefferson Street Streetscape Improvements, Project No. 65-15-SP04, as follows:

(RESOLUTION NO. 14-841)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Reed Contracting Services, Inc., for WPC-Sanitary Sewer Asphalt Paving Repair Periodic Bid, Project No. 65-14-SP52, as follows:

(RESOLUTION NO. 14-842)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution to renew the Agreement between the City of Huntsville and J. Smith Lanier Company of Huntsville to provide General Liability Insurance on 500 Church Street parking lot, as follows:

(RESOLUTION NO. 14-843)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute an Agreement between the City of Huntsville and Behavioral Health Systems, Inc., for mental

health and employee assistance program services, as follows:

(RESOLUTION NO. 14-844)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute an Agreement between the City of Huntsville and J-QUADE Planning Group, LLC, for consulting services for 2015-2020, as follows:

(RESOLUTION NO. 14-845)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute an Agreement between the City of Huntsville and C. Jordan Wilson and Associates, for consulting services for 2015-2020 HUD Consolidated Plan Preparation, as follows:

(RESOLUTION NO. 14-846)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the Agreement between the City of Huntsville and Huntsville Utilities, to allow for early termination of the lease, as

follows:

(RESOLUTION NO. 14-847)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

Mayor Battle stated that this concerned the property at Huntsville Utilities where the ITS Department was located. He stated that in the event the City ever had a place to consolidate all their employees, in a new City Hall, this would give the City the ability to shorten the lease.

President Russell stated that Councilman Olshefski would recuse himself on this issue and abstain from voting.

President Russell asked if there was any further discussion of this resolution.

There was no response.

President Russell called for a roll-call vote on the above resolution, and the following vote resulted:

AYES: Culver, Kling, Showers, Russell

ABSTAIN: Olshefski

ABSENT: None

Councilman Showers read and introduced an ordinance declaring certain real property located at 2603 Brookline Drive as surplus, as follows:

(ORDINANCE NO. 14-848)

Councilman Showers moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Culver.

President Russell asked Mr. Joffrion for an explanation of the above ordinance.

Mr. Joffrion stated that this item and the following item on the agenda were related. He stated that this was a piece of property that had been seized in connection with a drug case and forfeited to the City of Huntsville Police Department. He stated that this was fairly dilapidated property, could not be occupied currently, and was not of great value. He stated that they wanted to try to auction it off to the highest bidder and get as much money as they could from it.

President Russell asked if there was any further discussion of this ordinance.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute a Real Estate Auction Contract between the City of Huntsville and Fowler Auction & Real Estate Service, Inc., to auction real property located at 2603 Brookline Drive, as follows:

(RESOLUTION NO. 14-849)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell asked if there was any discussion concerning this resolution.

There was no response.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers read and introduced an ordinance to amend Budget Ordinance No. 14-655, authorizing the reappropriation of Fiscal Year 2014 Project Funds, as follows:

(ORDINANCE NO. 14-850)

Councilman Showers moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling.

President Russell asked Mr. Taylor for an explanation of the above ordinance.

Mr. Taylor stated that these were items that were budgeted the prior year and the money had not been spent. He stated that this included street projects, road projects, a number of projects, and that it was a total of approximately \$68 million net, when the revenues that would be received for these were counted. He stated that the funding had lapsed because the year had closed, and that at the first meeting of the Council in October of each year, they asked that the Council reappropriate this money.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

Councilman Showers stated that he had a question for Mr. Taylor concerning a capital outlay item.

President Russell recognized Councilman Showers.

Councilman Showers asked Mr. Taylor if there was a capital

item that the Council wanted to move out of the current budget and put the dollars into another item, how this should be done.

Mr. Taylor asked Councilman Showers to repeat his question.

Councilman Showers stated that he was going to ask that the money that was in a particular line item that was current be removed from that item, because it did not exist at this time, and placed into another item that he would bring before the Council at the next regular Council meeting.

President Russell asked Councilman Showers if he was referring to the Capital Plan.

Councilman Showers replied in the affirmative.

Mr. Taylor asked Councilman Showers if he was referring to the Capital Plan of the existing budget.

Councilman Showers stated that it was the capital part of it.

Mr. Taylor stated that his department would prepare an amendment to the Plan that Councilman Showers could present at the next Council meeting.

President Russell read and introduced Resolution No. 14-851, authorizing the Mayor to enter into an agreement with the low bidder meeting specifications as outlined in the attached Summary of Bids for Acceptance.

President Russell moved for approval of the above resolution, which motion was duly seconded by Councilman Kling.

President Russell stated to Councilman Showers that he

understood he wanted to hold this item.

Councilman Showers stated that based upon the information he had provided earlier, he would ask that the Council give him the opportunity to hold this at this time and bring it up possibly at the next meeting.

President Russell asked if it was correct that Councilman Showers' motion was to hold this until the next Regular Council Meeting.

Councilman Showers replied in the affirmative.

Councilman Showers moved to postpone consideration of Resolution No. 14-851 until the next Regular Meeting of the Council, on November 6, 2014, which motion was duly seconded by Councilman Culver.

President Russell called for the vote on the above motion, and it was unanimously approved.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Jordan Excavating, Inc., for Maple Hill Cemetery Addition, Base Bid, and Option No. 2, Option No. 3, and Option No. 4, Project No. 65-14-SP01, as follows:

(RESOLUTION NO. 14-852)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell asked Ms. Joy McKee for an explanation of the above resolution.

Ms. McKee stated that they had had two bids on this, that the first bid, base bid, came in at \$1,888,000, and that the second bid was \$471,466 higher. She stated, concerning the three options they had, that the first option was a slab they were going to put with the existing dirt building they had. She continued that this was a convenient time to do some of the things that she had been wanting to do. She stated that the slab would actually be there at the dirt building, and it would enable them to have mulch and dirt without getting it into the gravel.

Ms. McKee stated that the second option was relocating a dumpster, noting that where the dumpster was currently located was not good for families, that they would be looking right into a dumpster. She continued that they were going to screen it better.

Ms. McKee stated that the third option concerned the existing wall where the maintenance building was located. She stated that she wanted to tie this into what they currently had in their planning to do in the extension.

Ms. McKee stated that these were the three options.

President Russell stated that one of his constituents had asked him if the materials they would be using would be in keeping with the historic cemetery and if they were of like quality of what was already in place.

Ms. McKee replied in the affirmative.

President Russell asked if there was any further

discussion of this matter.

There was no response.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers read and introduced Ordinance No. 14-853, declaring certain property located at 4419 Saundralane Drive as surplus.

Councilman Showers moved for approval of the above ordinance, which motion was duly seconded by Councilman Culver.

President Russell asked Councilman Kling if he wanted to postpone this ordinance.

Councilman Kling stated that he believed they wanted to have some discussion from the Recreation Department about both this item, Ordinance No. 14-853, and the following item on the agenda, Resolution No. 14-854. He stated that he believed the intent was that they would hold a meeting with the neighborhood, and then he believed they could possibly wrap things up very quickly at a Special Session of the Council after the swearing-in ceremony for the Council on Monday, November 3, 2014.

Councilman Kling stated that, as he understood it, the Continental League had bought into the proposal. He stated that they just wanted to keep the horse before the cart and give the neighborhood an opportunity to learn more about what was being proposed rather than the Council just arbitrarily passing something, and then after the fact, the neighborhood

would learn about it. He stated that he believed they had persons on board and had a good plan of action for this.

Councilman Kling moved to postpone consideration of Ordinance No. 14-853 to a Special Session of the Council to be called on Monday, November 3, immediately after the swearing-in ceremony of the new City Council.

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above motion, and it was unanimously approved.

Mayor Battle asked President Russell if he would like for Mr. Hamilton to provide a background as to exactly where they were on this matter.

Councilman Kling stated that he felt that would be very helpful, noting that, also, the Recreation Department could also give the BIG Picture if they would like to do so.

President Russell recognized Mr. Hamilton.

Mr. Hamilton stated that University Park lay at the end of Saundralane, and the back side of the park adjoined UAH and their athletic complex. He stated that UAH, as they had continued to grow, had identified a need to expand their recreational facilities to support the students, and that this park, in this location, would serve that purpose well. He stated that from the City's perspective, the recreational league that used University Park used it essentially for baseball and softball fields. He continued that this was the home park for the Continental League. He stated that the area

that fed into the Continental League actually extended down into West Huntsville, between Triana Boulevard and Patton Road, past Drake Avenue.

Mr. Hamilton stated that the intent was to move the Continental League to a home park at Brahan Spring, noting that the resources that would come from the sale to UAH would go directly into a complete renovation and expansion of Brahan Spring. He stated that not only would this provide this league better facilities, but they would also have access to additional football fields and additional baseball and softball fields, as well as soccer fields. He stated that this would also set the conditions for some of the other capital programs they had in the expansion of Merrimack Park, and also John Hunt Park, as they expanded to meet the demand for soccer and lacrosse across the city.

Mr. Hamilton stated that this would actually move the Continental League home park to a more centralized location and to what would be a significantly renovated and expanded park. He stated that in terms of meeting the demand for youth athletics, which was the purpose of this park, they believed that it served this well. He stated that Mr. Ivey and Mr. Patterson had spent a lot of time talking to and working with the Board from the Continental League and that they had support from them.

Mr. Hamilton stated that the neighborhood had been notified concerning this, but that he agreed with

Councilman Kling that the appropriate thing to do would be to have a small town hall meeting for those persons who wanted to come and discuss this matter. He stated that they could do that the following week. He stated that, also, the neighborhood would have the group, as previously discussed, with Dr. Altenkirch to talk about the overall Master Plan for UAH. He stated that at the meeting on November 10 that had been mentioned was when Dr. Altenkirch intended to present to the neighborhood the full campus Master Plan, which obviously would include the recreational facilities, as well as other things they were doing, with a particular focus on how this plan would affect all the neighborhoods surrounding the campus.

Councilman Kling stated that he believed the UAH Board of Trustees was scheduled to meet on November 6, which he noted was prior to the neighborhood meeting. He stated that the Council just wanted to make sure they were keeping the horse before the cart, that they wanted to communicate with the neighborhood and let them know what was being proposed and get their feedback, and then there would be time for the Council to take possible action on this issue, and it would still have time to get to the Board of Trustees. He stated that he believed they had the timeline worked out, and he thought this was very important. He stated that this neighborhood had been very much involved in numerous issues, noting that they had already met with persons from the Planning Department on the BIG Picture. He stated that they were very engaged and very

much involved in improving their neighborhood. He continued that he believed this would be a good step and stated that they would set the meeting for sometime in the following week and get this out to the neighborhood. He continued that then they should have things in order for possible action by the Council on this matter on November 3.

President Russell read and introduced Resolution No. 14-854, authorizing the Mayor to execute a Real Estate Sales Contract between the City of Huntsville and The Board of Trustees of the University of Alabama for the sale of approximately 10.07 acres of property to UAH.

President Russell moved for approval of the above resolution, which motion was duly seconded by Councilman Showers.

Councilman Kling moved to postpone consideration of Resolution No. 14-854 to a Special Session of the Council to be called on Monday, November 3, immediately after the swearing-in ceremony of the new City Council.

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above motion, and it was unanimously approved.

Councilman Culver stated to Councilman Kling that he would like to be notified as to the date of the proposed neighborhood meeting, noting that he believed this was an area that he and Councilman Kling shared to some degree.

President Russell stated that the next item on the agenda

was Legal Department Items/Transactions.

President Russell read and introduced an ordinance authorizing the vacation of a 30-foot Utility and Drainage Easement, Lot 62, Valley Cove (Pearson & Wade Road), as follows:

(ORDINANCE NO. 14-855)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced a resolution consenting to the vacation of right-of-way along a portion of Electronics Boulevard and Pentastar Drive (Remington), as follows:

(RESOLUTION NO. 14-856)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Russell read and introduced an ordinance authorizing the vacation of right-of-way along a portion of Electronics Boulevard and Pentastar Drive (Remington), as follows:

(ORDINANCE NO. 14-857)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted.

The following item on the agenda, Deeds for Acceptance,

died for lack of a motion.

President Russell stated that the next item on the agenda was Non-Roster Communications from the Public.

Ms. Jackie Reed again appeared before the Council, stating that she had attended the School Board meeting on the prior Thursday evening. She stated to Councilman Showers that James Dawson had been her idol on the School Board, noting that he had never mentioned the word "racist." She stated that she had always taken sides with him, and that she had gotten in a lot of trouble. She stated that he had yelled "Equality across the city." She stated that they could not continue with the race card in the city.

Ms. Reed stated that she had walked into the School Board meeting the prior week, and sat down, and they were kidding her, and some persons had said, "Get on down there with your own people." She stated that she had said, "Everybody is my people; everybody is God's people." She stated that then they had laughed and said that that was true.

Ms. Reed stated that the people in Huntsville had to connect. She stated that she was trying to help with the School Board, because they had all come from Yankeeland, up North, and they did not know the personality of the city and did not know the character of the city. She stated that she was trying to say, "We are different; we are Huntsville, a great city. We are different from where you came from. We have got to communicate."

Ms. Reed reiterated that they had to stop the race card, that there were all the people, and that God would not be happy with what was going on in the city. She stated that they did not want to turn the city into a riot, with a race card. She stated that she loved all the people, and she was doing the best she could with the School Board and the leaders over there to say, "We have got to connect." She stated that if they could meet halfway, to let her be the speaker, although she may get shot or killed or something. She stated that they had to get together in the city before something bad happened.

Ms. Reed stated that she wanted to add to her previous comments that nine parking spaces had been taken up at the courthouse.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that the Council had passed item 8.t on the agenda, Resolution No. 14-816, under Huntsville Utilities Items, noting that he just wanted to understand this. He stated that it was an agreement among TVA, Huntsville, and Intergraph Corporation and concerned investment in the Valley Investment Initiative. He stated that he just wanted to understand this because he might want to invest in it.

President Russell asked if this was under Huntsville Utilities items.

Pastor Johnson replied in the affirmative, reiterating that he just wanted to understand that resolution, noting that it was a tri-party agreement among TVA, Huntsville, and

Intergraph Corporation. He asked if people could just get involved or if they had to have so much money, or if they would take his \$5. He asked what this was. He stated that he would just like to have it explained.

Pastor Johnson stated that there had been an incremental increase voted on for utilities and asked if that had to do with the improvements that were being made in the water plant.

President Russell stated that he could answer that question, and that the answer was yes.

Pastor Johnson asked if there would be a decrease after the plant was completed.

President Russell replied in the negative, stating that he believed the increase was based on the cost of all this together, and they had balanced it out for the next couple of years.

Pastor Johnson asked if after this was all over with if it was correct that the utilities would not go back down.

President Russell stated that he did not expect them to.

Pastor Johnson stated to Ms. Reed that he agreed with her, but that he had not heard "racism" anywhere in the statement she was referring to. He stated that as he had stated previously, with all the statistics, negative and positive, the only varying thing was race. He stated that when African Americans were involved and the negative things came their way, that was race. He stated that there was a mayor, who everyone had voted for, and a Chamber of Commerce that got taxpayer

dollars from all sides of town, and others, who stood when two were having competing ideas and just pushed out one idea. He stated that the mayor had yet to come and sit down with them and say, "What is the real problem? How do we fix it?"

Pastor Johnson stated that it was always just support for the Superintendent, whom he noted refused to talk to them. He stated that once someone got under the Superintendent's skin, he did not want to talk to that person anymore. He stated that before he had told the Superintendent they would not allow disrespect, they had had breakfast at the Blue Plate and talked, although they weren't always on the same sheet of music. He stated that, however, now that he had said what he had said, the Superintendent did not want to talk anymore.

Pastor Johnson stated that this matter was not personal with him, that it was not personal at all, that none of it was. He reiterated that the variable was race, that his constituents saw it and felt that it was race. He stated that this was something they had to solve.

President Russell asked if a representative from Huntsville Utilities was still present at the meeting.

There was no response.

President Russell asked Pastor Johnson if he could get back with him concerning his question on the TVA. He stated that it was a simple explanation, but he just did not want to state it incorrectly.

Pastor Johnson replied in the affirmative.

Mr. Bobby Hall appeared before the Council, stating that he was with Roadside Towing. He stated that he had bid on the City contract for services for the City. He stated that it had been brought to his attention a couple of different times that his company had abandoned the City contract, and that he just wanted to let it be understood that his company had served three years of the contract, and that each day for the full three years the contract had been awarded to them, they had fulfilled the contract.

Mr. Hall stated that even two weeks after the contract was up, his company had continued towing for the City, noting that he did not believe they had a contract out for bid at the time. He reiterated that his company fulfilled the full three years of the contract, and then after it was over with, he had been reimbursed for his performance bond and anything else that he had to provide for the City.

Mr. Hall stated that he just wanted to provide some clarification on this, that his company did not abandon the contract. He stated that if any of the Council members had any questions concerning this, they should feel free to telephone him at any time, and he would be glad to answer any questions they might have.

Councilman Showers stated that before he would comment on this matter, he would like to get guidance from Mr. Joffrion. He asked Mr. Joffrion if it would be appropriate to address a comment of the nature that had just been made when there were

records to the contrary.

Mr. Joffrion stated that his advice to Councilman Showers would be that he not comment. He stated that they could discuss this at a later time.

President Russell asked if anyone else would like to address the Council.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER